

Virginia Manufactured Housing Board Meeting
Minutes
Kingsmill Resort and Conference Center
Williamsburg, VA
July 24, 2002

Board Members Present: James W. Roncaglione, Chairman
Walter K. Hughes, Sr., Vice Chairman
Ava Lewis
William H. Moody
Michael C. Nickel
Ida O. McPherson
E. Thomas Satterwhite
William B. Toombs

Board Member Absent : Roger L. Mitchell

Public Representatives : John Purcell, Assistant Attorney General
Michael and Debbie Burke, Complainants
Mary Nelson, Complainant
Carl Dean, Complainant

A. Call to order/Roll Call/Determination of a Quorum.

The Virginia Manufactured Housing Board Meeting was called to order by Chairman Roncaglione at 9:34 a.m.

Secretary Curtis L. McIver called the Roll and a Quorum was present.

B. Approval of the Minutes.

A motion was made by Ida O. McPherson and second by Ava Lewis to accept the Minutes as presented. Chairman Roncaglione called the question and Aye's carried the vote.

C. Public Comment.

Public Comments were received from the following complainants: Michael and Debbie Burke, Mary Nelson and Carl Dean, concerning problems they are experiencing due to a dealership's closing. The review of these cases by the Board will be reflected later in the Minutes.

D. Committee Reports.

None.

E. Report of the Secretary.

Cash balance as of July 15, 2002, in the Licensing Account is \$48,234.41. Cash balance as of July 15, 2002, in the Transaction Recovery Fund Account is \$921,902.08.

Currently licensed are 14 brokers, 250 dealers, 57 manufacturers and 857 salespersons.

F. Unfinished Business.

1. Christine White vs. Colonial Homes.

No action taken. Staff has received the Notice of Appeal from CDM/Colonial Homes.

2. Doris E. Layne vs. Luv Homes, Ashland, VA.

Closed.

3. License Application from John C. Witcher, Jr. – A Gem Homes.

Case pending in Court.

4. Greg and Linda Wray vs. Henry Moncure Motors, Inc.

The Wrays were informed of the opportunity to appear at this Board Meeting. They submitted written estimates. No estimate was submitted by Moncure. The Board reviewed the Final Order and the Wray's estimates. After careful review, the Board assessed monetary damages of \$7,150.00. A revised Final Order will be drafted ordering Moncure to pay \$7,150.00 to the Wrays.

5. American Homestar bankruptcy claims.

Final Orders were signed by Chairman Roncaglione at this meeting for the following cases:

Mullins, John V.; Glass, Anthony & Ida; Carter, Anthony; Brown, Anthony; Godfrey, Howard & Gracie; Spruill, William & Susan; Watkins, Elvin & Barbara; Crowder, William; Fitzgerald, Conwallace; Rigney, Angel; Wood, Ronald & Anna; Murphy, Nikita B.; Barry, Charles W.; Brian, John & Geraldine; Yancey, Joyce M.; & Wollenburg, Al & Mary.

Sylvia Powell-Terry vs. Gold Medal Homes/Countryside Homes final order was not signed because no estimates of damages have been submitted nor an on-site investigation has been preformed.

6. Cases involving 1st Choice Homes of Williamsburg.

The following claims were reviewed and monetary damages assessed against the dealer.

Hughes, Jackie & Nancy/1st Choice Homes/Castle Housing of PA., Ltd. – \$5,209.98.

Nelson, Mary Frances/1st Choice homes/Fleetwood Homes, PA. - \$7,399.43.
 Brown, Robert L./1st Choice Homes/Fleetwood Homes, VA. - \$350.00.
 Diehl, Mark C./1st Choice Homes/Fleetwood Homes, VA. – \$0.00. Case Closed.
 Moore, Juanita/1st Choice Homes/Fleetwood Homes, VA – The Manufactured Housing Board will award the judgment amount not to exceed \$2,500.00.
 Burke, Michael & Debbie/1st Choice Homes/Fleetwood Homes, NC. - \$7,530.00.
 Hopwood, Tracey & Theresa/1st Choice Homes/Fleetwood Homes, GA. – Tabled. Board's instructions to staff are to contact DMV to see who holds the lien against the home; who is titled to the home and how much is owed.
 Foreman, Carole/1st Choice Homes/Fleetwood Homes, GA. - \$500.00
 Brooks, Clayton/1st Choice Homes – \$5,500.00.
 Thompson, Vernice/1st Choice Homes - \$2,000.00.

7. Pending Items.

a. Brenda Washington vs. Colonial Homes.

Pending court case.

b. Ronald Morehart vs. Blairs Housing and Liberty Homes.

Pending court case.

8. Joseph & Catherine Livesay vs. Chesapeake MH Sales (closed dealership).

Continued until Board's next meeting for additional information from dealer.

9. Claims against other closed dealers.

Dale, Michael S./Bluefield Housing Center/Redman Homes, NC – Closed. No damages charged against the dealership. The manufacturer is in the process of making repairs.

O'Conner, M./Schmid, R./Leader Homes/Horton Homes, Inc. – Denied.

Stevens, David & Janice/S & D Investments/Southern Homes, AL – Tabled. Board's instruction to staff is to contact the installer of the home for further action.

Diaz, Carmen & Julie/Kelly's Homes/Champion Homes, NC - \$1,521.00 against the dealer.

Hill, Gary & Melissa/Sav-A-Lot Homes/Redman Homes, Inc. – Board's instruction to staff is to write a letter to the manufacturer to make the repairs.

Underwood, Hasell Wayne & Debra/Double D Homes, Inc./Redman Homes, NC – Tabled until Board's next meeting for further information.

10. Completed Items.

a. Nathaniel & Melba Bailey vs. the Virginia Co. – Final Order signed.

G. New Business (Claims against closed dealers not submitted previously).

1. Sharon Davis/Larry's Homes, Christiansburg, VA – Tabled until the Board's next meeting.
2. Carl Dean/1st Choice Homes of Williamsburg.

Carl Dean/1st Choice Homes of Williamsburg, VA. - \$3,000.00 charged against the salesman.

3. Mary Jo O'Quinn vs. Sav-A-Lot Homes (dealer) and Chandeleur Homes (manufacturer).

The Board reviewed estimates submitted by owner's attorney and by finance company's attorney. Damages of \$7,910.00 were assessed by the Board against the closed dealer. Final Order will be entered to pay \$7,190.00 to O'Quinn and finance company.

4. Kerry & Dreama Gammon vs. Bluefield Housing (closed dealership).

Tabled until the Board's next meeting.

H. Next meeting date and location.

The next meeting date is September 19, 2002 at the Department of Housing and Community Development, The Jackson Center, 501 N. 2nd Street, 1st Floor Board Room, Richmond, VA.

1. Adjournment.

The Virginia Manufactured Housing Board meeting adjourned at 5:45 p.m. with a motion to adjourn by Walter K. Hughes, Sr. and second by Ava Lewis.

Aye's carried.

Note: July 24, 2002 draft minutes were approved on September 19, 2002.